

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

YELLOWSTONE RENTAL  
PROPERTIES, LLC,

Plaintiff,

vs.

UNITED FINANCIAL CASUALTY  
COMPANY; THE PROGRESSIVE  
CORPORATION; BRYAN  
MCCLEAN; and MCCLEAN FAMILY  
INVESTMENTS, *d/b/a* MCCLEAN  
FAMILY INSURANCE AGENCY,

Defendants.

CV 21-79-BLG-SPW-TJC

**ORDER**

On November 30, 2021, this Court extended Defendant McClean Family Investments' time to retain counsel to represent it in this case until December 17, 2021. (Doc. 14.) In addition, the Order informed pro se Defendant Bryan McClean that all filings must be submitted through the Court's electronic case filing system ("ECF"); mailed to the Clerk of Court's address; or delivered in-person to the Clerk's office. (*Id.*) The Order further advised Defendant McClean that additional papers submitted through the proposed order e-mail would not be considered. (*Id.*)

Nonetheless, on December 17, 2021, the Court received another notice submitted by Defendant McClean through the Court's proposed e-mail indicating

that his continued attempts to retain counsel have been unsuccessful and inquiring if the Court could appoint him counsel. Defendant McClean is advised that there is no constitutional right to appointed counsel for a civil action and the Court is not authorized to require counsel to accept a case. *See, e.g., Campbell v. Burt*, 141 F.3d 927, 931 (9th Cir. 1998) (citing *Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981)).

Defendant McClean is further advised that the Court will not respond to any communications or papers submitted to the proposed order e-mail. Further communications and requests must be submitted through the Court's electronic system, be mailed, or delivered to the Clerk's office.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Defendant McClean Family Investments shall be given an extension of time to retain counsel to represent it in this case. Defendant shall have until **January 7, 2022**, for counsel to enter an appearance, or to show cause in writing why an appearance by that date is not possible. After January 7, 2022, the Court will proceed with this matter and set a Preliminary Pretrial Conference.

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2. The Clerk of Court is directed to file Defendant McClean's December 17, 2021, e-mail containing the subject line "Re: CV-21-79-BLG-SPW-TJC."

DATED this 17th day of December, 2021.



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TIMOTHY J. CAVAN  
United States Magistrate Judge